

**PUBLIC GRIEVANCES COMMISSION**  
**GOVT. OF NATIONAL CAPITAL TERRITORY OF DELHI**  
**I.P. Estate (near ITO), Vikas Bhawan, M-Block, New Delhi-110110**  
**Tel Nos. 011-23379900-01 Fax No.011-23370903**  
**Order under Para 2(B) of the PGC Resolution No F.4/14/94-AR dated 25.9.97**

Date of hearing: 16.09.2020

Complainant : Sh. Parshu Ram Thakur  
Respondent : The Commissioner,  
Labour Department,  
Grievance date : 05.11.2019

**1. Brief facts of the complaint**

1.1 Sh. Parshu Ram Thakur has filed a complaint in PGC regarding non-receipt of salary from the owner of the company. Sh. Prashu Ram Thakur has worked in a company at Rajdhani Enclave Pitampura but he has not received the salary from the owner of the company whereas the owner of the company states that he has already paid the salary.

**2. Facts emerged during the proceedings**

2.1 None from the department was present in the hearing nor was any Action Taken Report furnished in the hearing by the respondent department. This non serious attitude was viewed adversely by the Commission.

2.2 The complainant present in the hearing stated that he had worked as a carpenter in the furniture company w.e.f. 25.11.2017 to 31.01.2018. However, the owner of company has not paid him the wages for the said period. He stated that he has copy of attendance with him to prove that he had worked for the company. He got wages amounting to Rs.500/- per day, however, he has no proof regarding the same. The complainant stated that he got payment for

the month of November 2017 only and that too in cash. He further submitted that the contractor, who hired him, has got signed vouchers indicating payment of Rs.500/- per day was done. However, those vouchers are also in possession of the company.

- 2.3 As per the complainant, he has nothing in writing to prove that wages amounting to Rs.500/- per day was given to him as whatever remuneration he has received was in cash. His claim that signed vouchers for payment of Rs.500/- per day also cannot be proved as the same is in possession of the company. Thus, in a nutshell, the complainant has nothing in black and white to show that outstanding dues pertaining to him, is withheld by the company.

The complainant is advised to get everything in writing from his employer whenever he worked for some person i.e. amount of remuneration payable to him and amount of advance money to be paid by the contractor etc. and keep a copy of the said terms of working with himself so that if and when the contractor refuse to pay him due wages in future, he can submit this written agreement as proof of wages in any court of law.

- 2.4 During the last hearing held on 20.07.2020, Sh. Sanjay Kumar Gupta, Dy. Labour Commissioner has submitted that the complainant was given action taken report vide letter No.JLC/WD2020/Lab/1869 dated 29.05.2020, advising him to file his claim before the Authority under the Delhi Shops & Establishments Act, 1954, F-Block, Karampura, New Delhi – 110015.

### **3. Directions**

- 3.1 The complainant is advised to file his claim before the Authority under the Delhi Shops & Establishments Act, 1954, F-Block, Karampura, New Delhi – 110015 with necessary help and guidance from the Labour Department officers in filing the claim in the prescribed format.

3.2 With these directions, the case stands closed in the Commission. Further, the complainant is at liberty to approach the Labour Department as well as the Commission in case he has any further grievance with regard to his present complaint.

**(SMT. MADHU SHARAN)**  
**MEMBER (PGC)**

No. PGC/2019/Labour/06/

Dated: .09.2020

Copy to:

1. The Commissioner, Labour Department, Govt. of NCT of Delhi, 5- Sham Nath Marg, New Delhi-110054.
2. Ms. Anita Rana, Dy. Labour Commissioner(Admn.)/HOO, Labour Department, Govt. of NCT of Delhi, 5- Sham Nath Marg, New Delhi - 110054.
3. Sh. Parshu Ram Thakur